

DEC 13 2006

Serial No. 10/005,771

Docket No. NG(MS)7266

REMARKS

Claims 1-37 are currently pending in the subject application, and are presently under consideration. Claims 1-37 are rejected. Claims 1, 11, 16, 22, 29, 36 and 37 have been amended. Claim 10 has been canceled. Favorable reconsideration of the application is requested in view of the amendments and comments herein.

I. **Rejection of Claims 1, 10-15, 36 and 37 Under 35 U.S.C. §103(a)**

Claims 1, 10-15, 36 and 37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Applicant Publication No. 2001/0055291 to Schweitzer ("Schweitzer") in view of U.S. Patent Publication No. 5,548, 633 to Kujawa ("Kujawa"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

As stated above, claim 10 has been canceled. Accordingly, the rejection of claim 10 is now moot.

Schweitzer taken in view Kujawa does not teach or suggest storing, at a client system (or a computer system), information related to a time based bill and transmitting a call detail record from the client system to a billing module on a billing system, as recited in amended claims 1 and 36-37. Schweitzer discloses a wireless general packet radio service (GPRS) system using call description records (CDR) that records dates, times and lengths of each telephone call (See Schweitzer, Para. [0020]). The GPRS sends the CDR to a billing system (See Schweitzer, Para. [0020]). A GPRS does not correspond to the client system (and computer system) recited in claims 1 and 36-37. In claims 1 and 36-37, the same system (the client system, and the computer system) for which a network interface is determined to be turned off or on, stores information related to a time-based bill. In contrast, Schweitzer does not teach or suggest that the GRPS (that uses CDRs) determines when a network interface is turned on or off for the GRPS. Accordingly, Schweitzer fails to teach or suggest the client system or the computer system recited in amended claims 1 and 36-37.

Moreover, in the rejection of claims 1 and 36-37, the Examiner cites Kujawa for disclosing a network interface (See Office Action, Pages 2, 6 and 8, Citing the Abstract of

BEST AVAILABLE COPY

Serial No. 10/005,771

Docket No. NG(MS)7266

Kujawa). However, the addition of Kujawa does not make up for the aforementioned deficiencies of Schweitzer. Therefore, Schweitzer taken in view of Kujawa fails to teach or suggest each and every element of amended claims 1 and 36-37. Thus, amended claims 1 and 36-37 are not obvious in light of the teachings of Schweitzer in view of Kujawa. Accordingly, amended claims 1 and 36-37, as well as claims 11-15 depending from amended claim 1 are patentable over the cited art.

Additionally, Schweitzer taken in view of Kujawa does not teach or suggest transmitting a disconnect packet from a client to a router device, as recited in claim 12. In rejecting claim 12, the Examiner contends that numerous sections of Schweitzer disclose the elements recited in claim 12 (See Office Action, Page 4, citing Figs. 1a, 5 and Paras. [0004]-[0008], [0010]-[0011], [0015], [0049] and [0057] of Schweitzer). Applicant's representative respectfully disagrees. As an example, one of the cited sections of Schweitzer discloses that an IP-enabled device 502 is coupled to a router 504 which is coupled to a wide area network 506 (See Schweitzer, FIG. 5 and Para. [0049]). Schweitzer also discloses that utilizing a virtual private network, it is possible to allocate communication resources belonging to specific applications or IP addresses (See Schweitzer, Para. [0049]). However, none of the cited sections of Schweitzer teaches or suggests that a disconnect packet is transmitted from a client to a router device, as recited in claim 12. In fact, Schweitzer is silent on specific kinds of packets being provided over the virtual private network. Accordingly, Schweitzer taken in view of Kujawa fails to teach or suggest each and every element of claim 12.

For the reasons described above, claims 1, 11-15, 36 and 37 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

Serial No. 10/005,771

Docket No. NG(MS)7266

II. Rejection of Claims 2 and 3 Under 35 U.S.C. §103(a)

Claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer and Kujawa as applied to claim 1, and further in view of U.S. Patent No. 6,516,416 to ("Gregg"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 2 and 3 depend from amended claim 1. In rejecting claims 2 and 3, the Examiner has cited Gregg for disclosure of providing a registered subscriber access to protected contents (See Office Action, Page 9, citing Col. 1, Lines 47-67 and Col. 4, Lines 1-5 of Gregg). However, the addition of Gregg does not make up for the aforementioned deficiencies of Schweitzer and Kujawa with respect to claim 1, from which claims 2 and 3 depend. Accordingly, claims 2 and 3 are patentable over the cited art.

III. Rejection of Claim 4 Under 35 U.S.C. §103(a)

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Gregg as applied to claims 2 and 3, and further in view of U.S. Publication No. 2003/0028884 to Swart ("Swart"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 4 depends from claims 3, 2 and 1. In the rejection of claim 4, the Examiner has cited Swart for disclosing a video file (See Office Action, Page 10, citing the Abstract and Para. [0019] of Swart). However, the addition of Swart does not make up for the aforementioned deficiencies of Schweitzer taken in view of Kujawa and in further view of Gregg with respect to claims 2 and 3, from which claim 4 depends. Accordingly, claim 4 is patentable over the cited art.

Serial No. 10/005,771

Docket No. NG(MS)7266

IV. Rejection of Claims 5, 6, 8 and 9 Under 35 U.S.C. §103(a)

Claims 5, 6, 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer and Kujawa as applied to claim 1, and further in view of U.S. Patent NO. 6,725,229 to Majewski ("Majewski"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 5, 6, 8 and 9 depend either directly or indirectly from amended claim 1. The further addition of Majewski does not make up for the aforementioned deficiencies of Schweitzer taken in view of Kujawa with respect to claim 1, from which claims 5, 6, 8 and 9 depend. Accordingly, claims 5, 6, 8 and 9 should be patentable over the cited art.

Additionally, Schweitzer taken in view of Kujawa and in further view Majewski fails to teach or suggest launching an application based upon a menu selection, as recited in claim 5. In the rejection of claim 5, the Examiner contends that Majewski discloses this element of claim 5 (See Office Action, Page 11, citing FIGs. 5 and 6 and Col. 10, Lines 22-35 of Majewski). Applicant's representative respectfully disagrees. FIG. 5 of Majewski provides a exemplary flowchart of the functions supported by configuration utility software (See Majewski col. 9, ln. 58 to col. 10, ln. 1). The features described in the cited section of Majewski do not include launching an application. Instead, the features only include configuring the loader application, reviewing the daily activity, and canceling the application (See Majewski Fig. 5,6; col. 9 line 57, to col 10, ll. 47). Therefore, the Schweitzer taken in view of Kujawa and in further view Majewski does not teach or suggest each and every element of claim 5.

V. Rejection of Claim 7 Under 35 U.S.C. §103(a)

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Majewski as applied to claims 5 and 6, and further in view of Gregg. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 7 depends from claims 6, 5 and 1. In rejecting claim 7, similar to the rejection of claims 2 and 3, the Examiner has cited Gregg for disclosure of providing a registered subscriber access to protected contents (See Office Action, Page 9, citing Col. 1, Lines 47-67 and Col. 4,

Serial No. 10/005,771

Docket No. NG(MS)7266

Lines 1-5 of Gregg). However, the addition of Gregg does not make up for the aforementioned deficiencies of Schweitzer and Kujawa with respect to claims 5 and 6, from which claim 7 depends. Accordingly, claim 7 should be patentable over the cited art.

VI. Rejection of Claim 16 Under 35 U.S.C. §103(a)

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer in view of Gregg. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Amended claim 16 is patentable for reasons similar to claims 1 and 36-37. Schweitzer taken in view of Gregg does not teach or suggest storing information at a client related to a determined amount of time, as recited in amended claim 16. Accordingly, Schweitzer taken in view of Gregg does not teach or suggested each and every element of amended claim 16. Thus, amended claim 16 is not made obvious by Schweitzer taken in view of Gregg, and amended claim 16 should be patentable over the cited art.

VII. Rejection of Claims 17, 18 and 22-27 Under 35 U.S.C. §103(a)

Claims 17, 18 and 22-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer and Gregg as applied to claim 16, and further in view of Kujawa. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 17, 18 and 22-27 depend either directly or indirectly from claim 16. The further addition of Kujawa does not make up for the aforementioned deficiencies of Schweitzer taken in view of Gregg with respect to claim 16, from which claims 17, 18 and 22-27 depend. Accordingly, claims 17, 18 and 22-27 should be patentable over the cited art.

Additionally, for reasons similar to those given in support of claims 1 and 36-37 Schweitzer taken in view of Gregg and in further view of Kujawa fails to teach or suggest claim 17 which depends from amended claim 16. Accordingly, Schweitzer taken in view of Gregg and in further view of Kujawa claim 17 does not make claim 17 obvious.

Serial No. 10/005,771

Docket No. NG(MS)7266

Furthermore, for the reasons stated in support of claim 12, Schweitzer taken in view of Gregg and in further view of Kujawa fails to teach or suggest transmitting a disconnect packet from a client to a router device, as recited in claim 24. Therefore, Schweitzer taken in view of Gregg and in further view of Kujawa does not teach or suggest each and every element of claim 24.

For the reasons described above, claims 17, 18 and 22-27 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

VIII. Rejection of Claims 19-21 Under 35 U.S.C. §103(a)

Claims 19-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer and Gregg as applied to claim 16 and further in view of Kujawa and Majewski. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 19-21 depend from amended claim 16. The further additions of Kujawa and Majewski do not make up for the aforementioned deficiencies of Schweitzer and Gregg with respect to amended claim 16, from which claims 19-21 depend. Accordingly, Schweitzer taken in view of Gregg and in further view of Kujawa and Majewski does not make claims 19-21 obvious, and claims 19-21 should be patentable over the cited art.

IX. Rejection of Claims 29-31, 34 and 35 Under 35 U.S.C. §103(a)

Claims 29-31, 34 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer in view of Kujawa, and further in view of Gregg. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Amended claim 29 is patentable for reasons similar to claims 1, 16 and 36-37. For reasons discussed above, Schweitzer taken in view of Kujawa and in further view of Gregg does not teach or suggest storing information relating to communication with a network in a client memory, as recited in amended claim 29. Accordingly, Schweitzer taken in view of Kujawa and in further view of Gregg does not teach or suggest each and every element of amended claim 29.

Serial No. 10/005,771

Docket No. NG(MS)7266

Thus, claim 29, as well as claims 30-31, 34 and 35 depending therefrom, should be patentable over the cited art.

Additionally, for reasons similar to those given in support of claim 12, Schweitzer taken in view of Kujawa and further in view of Gregg fails to teach or suggest transmitting a disconnect packet from a client to a router device, as recited in claim 35. Therefore, Schweitzer taken in view of Kujawa and further in view of Gregg does not teach or suggest each and every element of claim 35.

For the reasons described above, claims 29-31, 34 and 35 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

X. Rejection of Claim 32 Under 35 U.S.C. §103(a)

Claim 32 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Gregg as applied to claim 29, and further in view of Swart. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 32 depends from amended claim 29. The further addition of Swart does not make up for the aforementioned deficiencies of Schweitzer taken in view of Kujawa and Gregg with respect to amended claim 29, from which claim 32 depends. Accordingly, Schweitzer taken in view of Kujawa and in further view of Gregg and in still further view of Swart does not make claim 32 obvious, and claim 32 should be patentable over the cited art.

XI. Rejection of Claim 33 Under 35 U.S.C. §103(a)

Claim 33 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schweitzer, Kujawa and Gregg as applied to claim 29, and further in view of Majewski. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 33 depends from amended claim 29. The further addition of Majewski does not make up for the aforementioned deficiencies of Schweitzer taken in view of Kujawa and Gregg with respect to amended claim 29, from which claim 33 depends. Accordingly, Schweitzer taken

Serial No. 10/005,771

Docket No. NG(MS)7266

in view of Kujawa and in further view of Gregg and in still further view of Majewski does not make claim 33 obvious, and claim 33 should be patentable over the cited art.

XII. Claim 28

Claim 28 is not rejected by the present Office Action. Accordingly, Applicant's representative assumes that claim 28 would be allowable if rewritten in independent form including all of the elements of claim 16.

RECEIVED
CENTRAL FAX CENTER

DEC 13 2006

Serial No. 10/005,771

Docket No. NG(MS)7266


CONCLUSION

In view of the foregoing remarks, Applicant's representative respectfully submits that the present application is in condition for allowance. Applicant's representative respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

Date 12-13-06


Christopher P. Harris
Registration No. 43,660

CUSTOMER No.: 26,294

TAROLLI, SUNDHEIM, COVELL, & TUMMINO L.L.P.
1300 EAST NINTH STREET, SUITE 1700
CLEVELAND, OHIO 44114
Phone: (216) 621-2234
Fax: (216) 621-4072

BEST AVAILABLE COPY